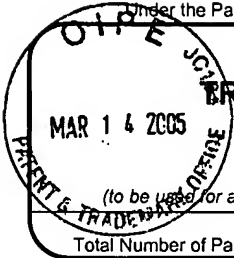


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

**Total Number of Pages in This Submission**

Application Number	10/803,600
Filing Date	03-17-2004
First Named Inventor	Keith Nakakura
Art Unit	1761
Examiner Name	Not Assigned Yet
Attorney Docket Number	22985-602

**ENCLOSURES** (Check all that apply)

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below):<br>Information Disclosures<br>Statement by Applicant Form PTO/SB/08a; Copies of 14 U.S. and Foreign Patent Documents as cited on the Information Disclosure Form PTO/SB/08a; Certificate of Mailing (First Class); Authorization to Charge Deposit Account 50-1847; and Return Receipt Postcard. |
|--|--|--|

### Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Manatt Phelps and Phillips, LLP
-----------	---------------------------------

**Signature**

Reg S Warner

Printed name Greg T. Warder

Date	March 10, 2005
------	----------------

Reg. No.	50,208
----------	--------

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

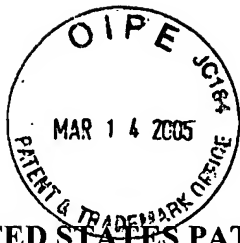
**Signature**

class mail in an envelope addressed to: Commiss

Sheep Neck

Typed or printed name	Sheena Hicks
-----------------------	--------------

Date	March 10, 2005
------	----------------



**PATENT**  
**22985-602**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/803,600 Confirmation No. 7373  
Applicant : Keith Nakakura et al.  
Filed: : 03-17-2004  
TC/A.U. : 1761  
Examiner : Not Yet Assigned  
Docket No. : 22985-602  
Customer No. : 36614  
For : **BEVERAGE BASE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE**  
**STATEMENT UNDER 37 CFR § 1.97(b)**

Enclosed is a copy of the Information Disclosure Statement Citation Form PTO/SB/08A together with copies of the documents cited on that form. It is respectfully requested that the cited documents be considered and that the enclosed copy of the Information Disclosure Statement Form PTO/SB/08A be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s).

**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on \_\_\_\_\_ March 10, 2005  
Date of Deposit  
\_\_\_\_\_  
Sheena Hicks  
Name of Person Mailing Correspondence  
Signature \_\_\_\_\_ Date 3-10-2005  
20130207.1

Pursuant to 37 C.F.R. § 1.97, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made and is not to be construed as an admission that the information cited for this statement is material to patentability.

Pursuant to 37 C.F.R. § 1.97, this information Disclosure Statement is being submitted under one of the following (as indicated by an "X" to the left of the appropriate paragraph):

  X   37 C.F.R. § 1.97(b).

       37 C.F.R. § 1.97(c). If so, then enclosed with this Information Disclosure Statement is one of the following:

       A statement pursuant to this 37 C.F.R. § 1.97(e); or

       A check for \$180.00 for the fee under 37 C.F.R. § 1.17(p).

       37 C.F.R. § 1.97(d). If so, then enclosed with this Information Disclosure Statement are the following:

- (1) A statement pursuant to this 37 C.F.R. § 1.97(e); and
- (2) A check for \$       for the fee under 37 C.F.R. § 1.17(p) for the submission of the Information Disclosure Statement.

Application No. 10/803,600

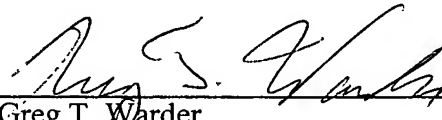
Information Disclosure Statement dated March 10, 2005

The Commissioner is hereby authorized to charge any additional fees to Manatt, Phelps & Phillips' Deposit Account No. **50-1847** or to credit any overpayment to the same for all matters during the prosecution of the subject application.

Respectfully submitted,

MANATT, PHELPS & PHILLIPS  
Attorneys for Applicants

Date: March 10, 2005

  
\_\_\_\_\_  
Greg T. Warder  
Registration Number 50,208

Manatt, Phelps, & Phillips  
1001 Page Mill Road, Building 2  
Palo Alto, CA 94304  
Tel: 650-812-1300  
Fax: 650-213-0260

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

**Complete if Known**

Application Number	10/803,600
Filing Date	03-17-2004
First Named Inventor	Keith Nakakura
Art Unit	1761
Examiner Name	Not Assigned Yet
Attorney Docket Number	22985-602

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 2003/0232115	12-18-2003	Eckenhansen et al.	
	2	US- 2002/0170925	11-21-2002	Friedman	
	3	US- 6,438,987	08-27-2002	Pahl	
	4	US- 6,289,796	09-18-2001	Fung	
	5	US- 6,287,515	09-11-2001	Koosman et al.	
	6	US- 6,056,157	05-02-2000	Gehl et al.	
	7	US- 5,799,832	09-01-1998	Mayo	
	8	US- 5,388,429	02-14-1995	Shackelford et al.	
	9	US- 4,848,381	07-18-1989	Livingston et al.	
	10	US- 4,530,370	07-23-1985	Horky	
	11	US- 3,498,502	03-03-1970	Breitenstein et al.	
	12	US- 2,873,892	02-17-1959	Nelson et al.	
		US-			
		US-			
		US-			
		US-			
		US-			

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	13	EP 0287194	10-19-1988	Beta Technology Inc.		
	14	JP 09028575	02-04-1997	Touyoubou Eng KK		✓

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on March 10, 2005  
Date of Deposit

Sheena Hicks  
Name of Person Mailing Correspondence  
Sheena Hicks 3-10-2005  
Signature Date

20130209.1

Serial/Patent No. 10/803,600  
Filing/Issue Date: March 17, 2004  
TC/A.U.: 1761

Confirmation No.: 7373

Client: Jamba Juice Company

Applicant: KEITH NAKAKURA, et al.

Title: BEVERAGE BASE

MPP File No.: 22985-602

Atty/Secty Initials: GTW/sh

Date Mailed: March 10, 2005

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- ☒ Transmittal Letter, in duplicate (1 pg.)
- ☒ Information Disclosure Statement (3 pgs.)
- ☒ Information Disclosure Statement By Applicant Form PTO/SB/08a (1 pg.)
- ☒ Copies of 14 U.S. and Foreign Patent Documents as cited on the Information Disclosure Form PTO/SB/08a
- ☒ Certificate of Mailing (1 pg.) (1<sup>st</sup> Class Mail)
- ☒ Authorization to Charge Deposit Account 50-1847
- ☒ Return Receipt Postcard